IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

C.O.C.P. No. 299 of 2006
Date of Decision: 5.12.2006

Anil Kumar Chopra .....Petitioner

Versus

Mohinder Parkash Chopra .....Respondent

Coram: Hon'ble Mr.Justice Surya Kant

Present: Mr.Ashok Bector,Advocate,for the petitioner.
Mr.Tribhuvan Singla,Advocate,for the respondent

* * *

Surya Kant,J.

This contempt petition has been filed, inter-alia, alleging wilful breach of interim order dated 24.1.2005 passed by this Court in Civil Revision No. 480 of 2005 whereby status quo regarding possession was directed to be maintained.

It is not disputed that the aforesaid revision petition has now been finally disposed of vide order dated 20.4.2006 with a direction that the parties to the suit shall maintain status quo with regard to possession of the house in dispute.

The petitioner is none-else than son of the respondent. It

is not in dispute that one of the vacant shop which is a part and parcel of the subject property, has been rented out by the respondent in order to earn livelihood. The respondent is stated to be an old person of 84 years of age.

After hearing learned counsel for the parties and having regard to the age of the respondent and the nature of relationship between the parties and keeping in view the fact that the respondent has rented out

the shop to sustain himself, this contempt petition is disposed of with a direction to the Deputy Commissioner-cum-Collector, Barnala and Sub Registrar, Barnala that no document/deed or any other instrument of any kind, in respect of the property in question, shall be registered at the instance of the respondent and no encumbrance of any type upon the house in dispute shall be permitted to be created. Necessary entries to this effect are directed to be made in the municipal/official records pertaining to the property in dispute. It is made clear that in the event of non-compliance of the above directions, the Officers, referred to above, shall be personally responsible along with respondent.

The aforesaid direction shall,however, continue to operate till the controversy with regard to the nature and/or ownership of the

property in dispute is decided by the learned Civil Court.

Rule discharged.

Let a copy of this order be handed over to Sh.G.S.Cheema, learned Sr. DAG Punjab for information and necessary action at the hands of the authorities concerned.

(Surya Kant)
Judge

December 05,2006
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